

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,) Case No. 3:01CR79
) Case No. 3:05CV400
v.)
)
KEITH A. ELSESSER,) ORDER AND JUDGMENT
)
Defendant.)
_____)

Pursuant to the memorandum opinion entered herein this date,

IT IS ORDERED:

1) Defendant's motion to vacate, set aside or correct his sentence (Filing No. 1 in 3:05CV400; Filing No. 158 in 3:01CR79) is denied.

2) Defendant's motion for bond (Filing No. 155 in 3:01CR79) pending a motion to recall the mandate before the Fourth Circuit Court of Appeals and a writ of certiorari before the Supreme Court is denied.

3) Defendant's motion for leave to file response (Filing No. 7 in 3:05CV400) is denied.

DATED this 24th day of January, 2006.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court